

EXHIBIT A

['044, '866] PATENT CLAIM TERMS FOR CONSTRUCTION

No.	Claim Language	Claim(s) of Patent Implicated	Plaintiff's Proposed Construction and Evidence in Support ¹	Defendant's Proposed Construction and Evidence in Support
1	Preamble	Claim 81 ['044]	Proposed Construction: Preamble is not limiting Intrinsic Evidence: 51:19-56:29; 173:19-31 of the '044 Patent; see intrinsic support for each disputed term in the preamble including “first device,” “second device,” “first server,” “second server,” and “first content identifier.”	Proposed Construction: The preamble is limiting.
2	Preamble	Claim 108 ['044]	Proposed Construction: Preamble is not limiting Intrinsic Evidence: 51:19-56:29; 173:19-31 of the '044 Patent; see intrinsic support for each disputed term in the preamble including “first device,” “second device,” “first server,” “second server,” and “first content identifier.”	Proposed Construction: The preamble is limiting.
3	“first device”	Claim 81, 108 ['044]	Proposed Construction: Not indefinite / Preamble not limiting / plain and ordinary meaning Intrinsic Support: Fig. 5B; 49a; 4:33-54; 6:18-8:46; 42:25-58; 43:22-49; 51:19-56:29; 65:31-58; 70:43-71:20; 71:28-72:38; 81:21-85:34; 90:43-91:15; 93:34-94:6; 95:17-36; 101:3-21; 104:22-106:6; 112:7-25; 119:34-65; 125:33-46; 142:12-32 166:36-167:6 of the '044 Patent; Extrinsic Support: PC Mag Encyclopedia definition for computing device: “Any electronic equipment controlled by a CPU, including desktop and laptop computers, smartphones and tablets. It usually refers to a	Proposed Construction: Indefinite under 35 U.S.C. §112 Alternatively: A device, separate from the second device, the first server, and the second server, that receives the internet content from the second device. Intrinsic Support: “FIG. 5 depicts schematically client devices, tunnel devices, and servers connected to the Internet” Col. 76, lines 32-33. “In one example, an accessing to a data server is improved by using an intermediate device referred to as ‘tunnel’ device, that is executing a ‘tunnel’

¹ Plaintiff intends to rely on an expert declaration in support of its claim construction positions and opposition to Defendant's indefiniteness positions and to rebut and respond to any expert declaration or evidence Defendant may submit.

			<p>general-purpose device that can accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router.”</p> <p>https://www.pcmag.com/encyclopedia/term/66551/computing-device</p> <p>IEV ref 732-01-12 definition of server: “functional unit that provides services to workstations, to personal computers or to other functional units in a computer network”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12</p> <p>Websters Dictionary definition of server: “a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network.”</p> <p>https://www.merriam-webster.com/dictionary/server</p>	<p>flowchart. FIG. 5 shows a system 30 including two client devices, a client device #1 31a and a client device #2 31b, that may access the data servers 22a and 22b using one or more of a tunnel device #1 33a, a tunnel device #2 33b, and a tunnel device #3 33c, under the management and control of an acceleration server 32. These network elements communicates with each other using the Internet 113.” Col. 81, lines 32-41 (emphasis added)</p> <p>“The chart 50 shows the messaging and related timing associated with the operation of the acceleration server 32 (corresponding to a dashed line 51a), a client device such as the client device #1 31a (corresponding to a dashed line 51b), a tunnel device such as the tunnel device #1 33a (corresponding to a dashed line 51c), and a data server such as the data server #1 22a (corresponding to a dashed line 51d).” Col. 81, lines 49-55 (emphasis added)</p> <p>Extrinsic support: RFC 7230 (June 2014), p. 7 - (first device would be the device that runs a “user agent” client program).</p>
4	“second device”	Claim 81, 108 [‘044]	<p>Proposed Construction: Not indefinite / Preamble not limiting / plain and ordinary meaning</p> <p>Intrinsic Support: Abstract; Fig. 5B; 49a; 4:33-54; 6:18-8:46; 42:25-58; 43:22-49; 51:19-56:29; 65:31-58; 70:43-71:20; 71:28-72:38; 81:21-85:34; 90:43-91:15; 93:34-94:6; 95:17-36; 101:3-21; 104:22-106:6; 112:7-25; 119:34-65; 125:33-46; 142:12-32 166:36-167:6 of the ’044 Patent;</p> <p>Extrinsic Support:</p> <p>PC Mag Encyclopedia definition for computing device: “Any electronic equipment controlled by a CPU, including desktop and laptop computers,</p>	<p>Proposed Construction: Indefinite under 35 U.S.C. §112</p> <p>Alternatively:</p> <p>A device, separate from the first device, the first server, and the second server, that is communicatively positioned between the first device and the second server.</p> <p>Intrinsic Support: “FIG. 5 depicts schematically client devices, tunnel devices, and servers connected to the Internet” Col. 76, lines 32-33.</p>

			<p>smartphones and tablets. It usually refers to a general-purpose device that can accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router.”</p> <p>https://www.pcmag.com/encyclopedia/term/66551/computing-device</p> <p>IEV ref 732-01-12 definition of server: “functional unit that provides services to workstations, to personal computers or to other functional units in a computer network”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12</p> <p>Websters Dictionary definition of server: “a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network.”</p> <p>https://www.merriam-webster.com/dictionary/server</p>	<p>“In one example, an accessing to a data server is improved by using an intermediate device referred to as ‘tunnel’ device, that is executing a ‘tunnel’ flowchart. FIG. 5 shows a system 30 including two client devices, a client device #1 31a and a client device #2 31b, that may access the data servers 22a and 22b using one or more of a tunnel device #1 33a, a tunnel device #2 33b, and a tunnel device #3 33c, under the management and control of an acceleration server 32. These network elements communicates with each other using the Internet 113.” Col. 81, lines 32-41 (emphasis added)</p> <p>“The chart 50 shows the messaging and related timing associated with the operation of the acceleration server 32 (corresponding to a dashed line 51a), a client device such as the client device #1 31a (corresponding to a dashed line 51b), a tunnel device such as the tunnel device #1 33a (corresponding to a dashed line 51c), and a data server such as the data server #1 22a (corresponding to a dashed line 51d).” Col. 81, lines 49-55 (emphasis added)</p> <p>Extrinsic support: RFC 7230 (June 2014), p. 10 - (though note that it also refers to requests to the proxy in the form of an “absolute URL”)</p>
5	“first server”	Claim 81, 108 [‘044]	<p>Proposed Construction: Not indefinite / Preamble not limiting / plain and ordinary meaning</p> <p>Intrinsic Support: Figs. 2, 5b, 7, 11, 11a-c, 12, 12a, 13, 20, 26a-d, 34, 49; 2:34-35; 4:33-54; 6:18-8:46; 51:19-56:29; 61:65-62:63; 63:14-27; 65:31-58; 66:8-17; 73:63-74:19; 81:21-85:34; 86:15-41; 93:34-94:6; 96:32-62 of the ‘044 Patent</p> <p>Extrinsic Support:</p>	<p>Proposed Construction: Indefinite under 35 U.S.C. §112</p> <p>Alternatively:</p> <p>A server, separate from the first device, the second device, and the second server.</p> <p>Intrinsic Support: “FIG. 5 depicts schematically client devices, tunnel devices, and servers connected to the Internet” Col. 76, lines 32-33.</p>

			<p>PC Mag Encyclopedia definition for computing device: “Any electronic equipment controlled by a CPU, including desktop and laptop computers, smartphones and tablets. It usually refers to a general-purpose device that can accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router.”</p> <p>https://www.pcmag.com/encyclopedia/term/66551/computing-device</p> <p>IEV ref 732-01-12 definition of server: “functional unit that provides services to workstations, to personal computers or to other functional units in a computer network”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12</p> <p>Websters Dictionary definition of server: “a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network.”</p> <p>https://www.merriam-webster.com/dictionary/server</p>	<p>“In one example, an accessing to a data server is improved by using an intermediate device referred to as ‘tunnel’ device, that is executing a ‘tunnel’ flowchart. FIG. 5 shows a system 30 including two client devices, a client device #1 31a and a client device #2 31b, that may access the data servers 22a and 22b using one or more of a tunnel device #1 33a, a tunnel device #2 33b, and a tunnel device #3 33c, under the management and control of an acceleration server 32. These network elements communicates with each other using the Internet 113.” Col. 81, lines 32-41 (emphasis added)</p> <p>“The chart 50 shows the messaging and related timing associated with the operation of the acceleration server 32 (corresponding to a dashed line 51a), a client device such as the client device #1 31a (corresponding to a dashed line 51b), a tunnel device such as the tunnel device #1 33a (corresponding to a dashed line 51c), and a data server such as the data server #1 22a (corresponding to a dashed line 51d).” Col. 81, lines 49-55 (emphasis added)</p> <p>Extrinsic support: RFC 7230 (June 2014), p. 10 - (refers to servers as programs. For the asserted claims, “server” would mean a device that runs a server program)</p>
6	“second server”	Claim 81, 108 [‘044]	<p>Proposed Construction: Not indefinite / Preamble not limiting / plain and ordinary meaning</p> <p>Intrinsic Support: Figs. 2, 5b, 7, 11, 11a-c, 12, 12a, 13, 20, 26a-d, 34, 49; 2:34-35; 4:33-54; 6:18-8:46; 51:19-56:29; 61:65-62:63; 63:14-27; 65:31-58; 66:8-17; 73:63-74:19; 81:21-85:34; 86:15-41; 93:34-94:6; 96:32-62 of the ‘044 Patent</p> <p>Extrinsic Support:</p>	<p>Proposed Construction: Indefinite under 35 U.S.C. §112</p> <p>Alternatively:</p> <p>A server, separate from the first device, the second device, and the first server, from which the internet content is fetched.</p>

			<p>PC Mag Encyclopedia definition for computing device: “Any electronic equipment controlled by a CPU, including desktop and laptop computers, smartphones and tablets. It usually refers to a general-purpose device that can accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router.”</p> <p>https://www.pcmag.com/encyclopedia/term/66551/computing-device</p> <p>IEV ref 732-01-12 definition of server: “functional unit that provides services to workstations, to personal computers or to other functional units in a computer network”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12</p> <p>Websters Dictionary definition of server: “a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network.”</p> <p>https://www.merriam-webster.com/dictionary/server</p>	<p>Intrinsic Support: “FIG. 5 depicts schematically client devices, tunnel devices, and servers connected to the Internet” Col. 76, lines 32-33.</p> <p>“In one example, an accessing to a data server is improved by using an intermediate device referred to as ‘tunnel’ device, that is executing a ‘tunnel’ flowchart. FIG. 5 shows a system 30 including two client devices, a client device #1 31a and a client device #2 31b, that may access the data servers 22a and 22b using one or more of a tunnel device #1 33a, a tunnel device #2 33b, and a tunnel device #3 33c, under the management and control of an acceleration server 32. These network elements communicates with each other using the Internet 113.” Col. 81, lines 32-41 (emphasis added)</p> <p>“The chart 50 shows the messaging and related timing associated with the operation of the acceleration server 32 (corresponding to a dashed line 51a), a client device such as the client device #1 31a (corresponding to a dashed line 51b), a tunnel device such as the tunnel device #1 33a (corresponding to a dashed line 51c), and a data server such as the data server #1 22a (corresponding to a dashed line 51d).” Col. 81, lines 49-55 (emphasis added)</p> <p>Extrinsic support: RFC 7230 (June 2014), p. 10 – “origin server”</p>
7	<p>“First Content Identifier”</p> <p>Exemplary Claim Language:</p> <p>“a first content, identified by a first content identifier” [Claims 1, 81, 108 of ‘044 Patent]</p>	<p>Claim 81, 82, 87, 89, 101, 108 [‘044]</p>	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29; 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12 of the ‘044 Patent;</p>	<p>Proposed Construction: Identification of the internet content that is to be fetched.</p> <p>Intrinsic Support: “fetching over the Internet a first content, identified by a first content identifier” Claim 81 preamble</p>

	<p>“sending the first content identifier” [Claims 82 of ‘044 Patent]</p> <p>“the third request includes the first content identifier” [Claims 87 and 89 of ‘044 Patent]</p>		<p>Extrinsic Support:</p> <p>ITU-T J.780 (06/2012) definition of content: “A combination of audio, still image, graphic, video, or data. NOTE – A variety of formats is classified as the "data" (e.g., text, encoded values, multimedia description language introduced by ITU-T H.760).”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={46309866-F797-45BC-81E9-2B6B2DAC1F32}</p> <p>ITU-T T.411 (93), 3.39 definition of content: The information conveyed by the document, other than the structural information, and that is intended for human perception.</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={0A3C5266-56D4-4ED8-9076-A4345192D7EB}</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 definition for identifier: “An unambiguous name, in a given naming context”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B}</p> <p>(see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2).</p> <p>ITU-T Definition – Identifier: A character, or group of characters, used to identify or name an item of data and possibly to indicate certain properties of that data. Ref.: ITU-T, Q.9 (88), 6108; Glos. VI.7, VI.8, VI.9 (88)</p>	
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			https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={A842D85F-D255-4218-98D1-D8AD272C9067}	
8	“identified in the Internet by a first identifier”	Claim 81, 108 [‘044]	<p>Proposed Construction: Preamble not limiting / plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ’044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p> <p>Extrinsic Support:</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B}</p> <p>(see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2).</p> <p>International Electrotechnical Commission definition of identifier: “character or string of characters, used to identify or name a data item.”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35</p>	<p>Proposed Construction: Identified by a first identifier that is different than the third identifier, although there may be some overlap.</p> <p>Intrinsic Support: “The prior art of record fails to teach or fairly suggest a first device sending a second request to a second device using a second identifier, the second request including a first content identifier <u>and</u> a third identifier, in the specific manner and combinations recited in claims 1, 81, and 108.” ’044 Notice of Allowance, page 2, September 11, 2015 (emphasis added)</p> <p>“After thorough review of related prior art, the application has been deemed allowable because of the limitations of a first device sending a second request to a second device using a second identifier, the second request including a first content identifier <u>and</u> a third identifier, recited in the specific manner and combinations recited within the claims.” ’044 Notice of Allowance, page 3, September 11, 2015 (emphasis added)</p>

9	“identified in the Internet by a third identifier”	Claim 81, 108 [‘044]	<p>Proposed Construction: Preamble not limiting / plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ‘044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p> <p>Extrinsic Support:</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B}</p> <p>(see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2).</p> <p>International Electrotechnical Commission definition of identifier: “character or string of characters, used to identify or name a data item.”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35</p>	<p>Proposed Construction: Identified by a first identifier that is different than the third identifier, although there may be some overlap.</p> <p>Intrinsic Support: “The prior art of record fails to teach or fairly suggest a first device sending a second request to a second device using a second identifier, the second request including a first content identifier <u>and</u> a third identifier, in the specific manner and combinations recited in claims 1, 81, and 108.” ‘044 Notice of Allowance, page 2, September 11, 2015 (emphasis added)</p> <p>“After thorough review of related prior art, the application has been deemed allowable because of the limitations of a first device sending a second request to a second device using a second identifier, the second request including a first content identifier <u>and</u> a third identifier, recited in the specific manner and combinations recited within the claims.” ‘044 Notice of Allowance, page 3, September 11, 2015 (emphasis added)</p>
10	“identified in the Internet by a second identifier”	Claim 81, 108 [‘044]	<p>Proposed Construction: Preamble not limiting / plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56;</p>	<p>Proposed Construction: Identified by information that includes an address of the second device.</p> <p>Intrinsic Support: See construction of “sending a first request” in UAB Tesonet CC Order, Dkt. 121, p. 62.</p>

			<p>73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p> <p>Extrinsic Support:</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B}</p> <p>(see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2).</p> <p>International Electrotechnical Commission definition of identifier: “character or string of characters, used to identify or name a data item.”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35</p>	<p>“In response to the client device 31a request, the acceleration server 32 prepares in a step ‘Prepare List’ 52b the list of current available tunnels, and sends the list as a ‘Send List’ message 56d to the client device 31a, which in turn receives the list as part of a ‘Receive Tunnels List’ step 62b.” Col. 83, lines 4-8.</p>
11	“receiving the second identifier from the first server”	Claim 81 [‘044]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29; 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the '044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p>	<p>Proposed Construction: Receiving, by the first device from the first server, identification of the second device that includes an address of the second device.</p> <p>Intrinsic Support: “In response to the client device 31a request, the acceleration server 32 prepares in a step ‘Prepare List’ 52b the list of current available tunnels, and sends the list as a ‘Send List’ message 56d to the client device 31a, which in turn receives the list as part of a ‘Receive Tunnels List’ step 62b.” Col. 83, lines 4-8.</p>

			<p>Extrinsic Support:</p> <p>See above for “first server.”</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B}</p> <p>(see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2).</p> <p>International Electrotechnical Commission definition of identifier: “character or string of characters, used to identify or name a data item.”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35</p>	
12	“sending a second request to the second device using the second identifier, the second request includes the first content identifier and the third identifier”	Claim 81 [‘044]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ’044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p>	<p>Proposed Construction: Sending, by the first device to the second device, using the address of the second device that was received from the first server, a request for the internet content which is to be fetched that includes both (1) identification of the internet content that is to be fetched and also (2) the address of the second server.</p> <p>Intrinsic support: “The prior art of record fails to teach or fairly suggest a first device sending a second request to a second device using a second identifier, the second request including a first content identifier and a third identifier, in the specific manner and combinations recited in claims 1, 81, and</p>

			<p>Extrinsic Support:</p> <p>See above for “second device” and “content identifier.”</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B}</p> <p>(see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2).</p> <p>International Electrotechnical Commission definition of identifier: “character or string of characters, used to identify or name a data item.”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35</p>	<p>108.” ’044 Notice of Allowance, page 2, September 11, 2015 (emphasis added)</p> <p>“After thorough review of related prior art, the application has been deemed allowable because of the limitations of a first device sending a second request to a second device using a second identifier, the second request including a first content identifier <i>and</i> a third identifier, recited in the specific manner and combinations recited within the claims.” ’044 Notice of Allowance, page 3, September 11, 2015 (emphasis added)</p>
13	“multitasking or multiprocessing”	Claim 86, 88, 91, 107 [’044]	<p>Proposed Construction: “multiple tasks being performed in overlapping time periods using common processing resources”</p> <p>Intrinsic Support: 24:60-25:4</p> <p>Extrinsic Support:</p> <p>International Electrotechnical Commission IEV 171-05-69 definition of multitasking: “concurrent or interleaved execution of two or more tasks on a single computer”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-05-69</p> <p>Websters Dictionary definition of multitasking: “the concurrent performance of several jobs by a computer.”</p>	

			https://www.merriam-webster.com/dictionary/multitasking	
14	“proximity to the second server”	Claim 97 [‘044]	<p>Proposed Construction: “distance from second server”</p> <p>Intrinsic Support: 53:55-59; 90:43-91:15</p> <p>Extrinsic Support:</p> <p>Dictionary.com definition of proximity: “nearness in place, time, order, occurrence, or relation.” https://www.dictionary.com/browse/proximity?s=t</p>	
15	“past activities”	Claim 99 [‘044]	<p>Proposed Construction: “past actions or performance”</p> <p>Intrinsic Support: Figs. 5a, 7B; 53:55-59; 96:50-97:59; 85:35-63; 91:26-44; 96:50-97:62 of the ’044 Patent</p>	
16	“sending the second identifier to the first server”	Claim 108 [‘044]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ’044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p> <p>Extrinsic Support:</p> <p>See above for “first server.”</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context”</p>	<p>Proposed Construction: Sending, by the second device to the first server, identification of the second device that includes an address of the second device.</p> <p>Intrinsic Support: “In response to the client device 31a request, the acceleration server 32 prepares in a step ‘Prepare List’ 52b the list of current available tunnels, and sends the list as a ‘Send List’ message 56d to the client device 31a, which in turn receives the list as part of a ‘Receive Tunnels List’ step 62b.” Col. 83, lines 4-8.</p>

			https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: “character or string of characters, used to identify or name a data item.” http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35	
17	“receiving a second request from the first device, the second request includes the first content identifier and the third identifier”	Claim 108 [‘044]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ’044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p> <p>Extrinsic Support:</p> <p>See above for “first device” and “content identifier.”</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context”</p>	<p>Proposed Construction: Receiving, by the second device from the first device, a request for the internet content that includes both (1) identification of the internet content that is to be fetched and also (2) the address of the second server.</p> <p>Intrinsic support: “The prior art of record fails to teach or fairly suggest a first device sending a second request to a second device using a second identifier, the second request including a first content identifier <i>and</i> a third identifier, in the specific manner and combinations recited in claims 1, 81, and 108.” ’044 Notice of Allowance, page 2, September 11, 2015 (emphasis added)</p> <p>“After thorough review of related prior art, the application has been deemed allowable because of the limitations of a first device sending a second request to a second device using a second identifier, the second request including a first content identifier <i>and</i> a third identifier, recited in the specific manner and combinations recited within the claims.” ’044 Notice of Allowance, page 3, September 11, 2015 (emphasis added)</p>

			https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2). International Electrotechnical Commission definition of identifier: “character or string of characters, used to identify or name a data item.” http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35	
18	“in response to receiving the first content, sending the first content to the first device using the first identifier”	Claim 108 [‘044]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ’044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p> <p>Extrinsic Support:</p> <p>See above for “first device.”</p> <p>ITU-T J.780 (06/2012) definition of “content”: “A combination of audio, still image, graphic, video, or data. NOTE – A variety of formats is classified as the “data” (e.g., text, encoded values, multimedia description language introduced by ITU-T H.760).”</p>	<p>Proposed Construction: After the second device receives the internet content, the second device forwards the internet content to the first device using an address of the first device.</p> <p>Intrinsic Support: “The received content is prepared in a ‘Content Prepared’ state 54d, and then sent, in a ‘Send Content’ message 56} (corresponding to a ‘Send Content To Client’ step 73e), to the client device #1 31a. “ Col. 83, lines 62-65.</p>

			<p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={46309866-F797-45BC-81E9-2B6B2DAC1F32}</p> <p>ITU-T T.411 (93), 3.39 definition of “content”: The information conveyed by the document, other than the structural information, and that is intended for human perception.</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={0A3C5266-56D4-4ED8-9076-A4345192D7EB}</p> <p>ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B}</p> <p>(see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2).</p> <p>International Electrotechnical Commission definition of identifier: “character or string of characters, used to identify or name a data item.”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=171-02-35</p>	
19	Preamble	Claim 15 [‘866]	<p>Proposed Construction: Preamble is not limiting</p> <p>Intrinsic Evidence: 52:33-57:59; 173:43-49 of the ‘866 Patent; see intrinsic support for each disputed term in the preamble including “first device,” “second device,” “first server,” “second server,” “first content identifier,” “identified in the Internet</p>	Proposed Construction: The preamble is limiting.

			by a second identifier” and “a group of multiple devices”	
20	“first server”	Claim 15 [‘866]	<p>Proposed Construction: Preamble not limiting / plain and ordinary meaning</p> <p>Intrinsic Support: Figs. 2, 5b, 7, 11, 11a-c, 12, 12a, 13, 20, 26a-d, 34, 49; 2:34-35; 4:33-54; 6:18-8:46; 51:19-56:29; 61:65-62:63; 63:14-27; 65:31-58; 66:8-17; 73:63-74:19; 81:21-85:34; 86:15-41; 93:34-94:6; 96:32-62 of the ‘044 Patent; and 173:43-49 of the ‘866 Patent</p> <p>Extrinsic Support:</p> <p>PC Mag Encyclopedia definition for computing device: “Any electronic equipment controlled by a CPU, including desktop and laptop computers, smartphones and tablets. It usually refers to a general-purpose device that can accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router.”</p> <p>https://www.pcmag.com/encyclopedia/term/66551/computing-device</p> <p>IEV ref 732-01-12 definition of server: “functional unit that provides services to workstations, to personal computers or to other functional units in a computer network”</p> <p>http://www.electropedia.org/iev/iev.nsf/display?openform&ievref=732-01-12</p> <p>Websters Dictionary definition of server: “a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network.”</p>	<p>Proposed Construction: A server, separate from the first device, the second device, and the group of multiple devices, from which the internet content is fetched.</p> <p>Intrinsic support: “FIG. 5 depicts schematically client devices, tunnel devices, and servers connected to the Internet” Col. 78, lines 17-18.</p> <p>“In one example, an accessing to a data server is improved by using an intermediate device referred to as ‘tunnel’ device, that is executing a ‘tunnel’ flowchart. FIG. 5 shows a system 30 including two client devices, a client device #1 31a and a client device #2 31b, that may access the data servers 22a and 22b using one or more of a tunnel device #1 33a, a tunnel device #2 33b, and a tunnel device #3 33c, under the management and control of an acceleration server 32. These network elements communicates with each other using the Internet 113.” Col. 83, lines 25-34 (emphasis added)</p> <p>“The chart 50 shows the messaging and related timing associated with the operation of the acceleration server 32 (corresponding to a dashed line 51a), a client device such as the client device #1 31a (corresponding to a dashed line 51b), a tunnel device such as the tunnel device #1 33a (corresponding to a dashed line 51c), and a data server such as the data server #1 22a (corresponding to a dashed line 51d).” Col. 83, lines 42-48 (emphasis added)</p>

			https://www.merriam-webster.com/dictionary/server	
21	“identified in the Internet by a second identifier”	Claim 15 [‘866]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 73:41-47; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ’044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p>	<p>Proposed Construction: Identified by information that includes an address of the first server.</p> <p>Intrinsic support: “fetching a content over the Internet from a first server identified in the Internet by a second identifier” Claim 15 preamble</p>
22	“a group of multiple devices”		<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Evidence: Fig. 5; 52:33-57:59; 58:9-24; 61:50-62:17; 63:40-43; 83:54-84:1; 58:9-24 of the ’866 Patent; see also intrinsic support for “first device” and “second device”</p>	<p>Proposed Construction: A plurality of devices that are able to fetch the internet content from the first server and which does not include the first device and the second server.</p> <p>Intrinsic support: “FIG. 5 depicts schematically client devices, tunnel devices, and servers connected to the Internet” Col. 78, lines 17-18.</p> <p>“In one example, an accessing to a data server is improved by using an intermediate device referred to as ‘tunnel’ device, that is executing a ‘tunnel’ flowchart. FIG. 5 shows a system 30 including two client devices, a client device #1 31a and a client device #2 31b, that may access the data servers 22a and 22b using one or more of a tunnel device #1 33a, a tunnel device #2 33b, and a tunnel device #3 33c, under the management and control of an acceleration server 32. These network elements communicates with each other using the Internet 113.” Col. 83, lines 25-34 (emphasis added)</p>

				<p>“The chart 50 shows the messaging and related timing associated with the operation of the acceleration server 32 (corresponding to a dashed line 51a), a client device such as the client device #1 31a (corresponding to a dashed line 51b), a tunnel device such as the tunnel device #1 33a (corresponding to a dashed line 51c), and a data server such as the data server #1 22a (corresponding to a dashed line 51d).” Col. 83, lines 42-48 (emphasis added)</p>
23	<p>“partitioning the content into a plurality of content slices”</p> <p>Exemplary Claim Language:</p> <p>“partitioning the content into a plurality of content slices, each content slice containing at least part of the content.” [Claim 15 of ‘866 Patent]</p> <p>“the partitioning is based on bit, nibble, byte, multi-byte, number, character, word, or string level.” [Claim 16 of ‘866 Patent]</p> <p>“ the partitioning is based on file or program level” [Claim 17 of ‘866 Patent]</p> <p>“the partitioning is based webpages level.” [Claim 18 of ‘866 Patent]</p> <p>“the partitioning is sequential in the content.” [Claim 23 of ‘866 Patent]</p>	<p>Claim 15, 16-18, 23-24 [‘866]</p>	<p>Proposed Construction: Not indefinite / plain and ordinary meaning</p> <p>Intrinsic Support: 16:18-35; 53:36-48; 57:39-58:24; 63:37-64:5; 68:67-69:27; 71:7-41; 78:8-37; 93:63-95:16; 103:58-104:62; 141:62-142:34; 168:48-50; 173:8-14 of the ‘866 Patent; see also intrinsic support for “each content slice containing at least part of the content” and “each content slice ... identified using a content slice identifier”</p> <p>Extrinsic Support:</p> <p>Webster dictionary definition of partition: “one of the parts or sections of a whole”</p> <p>https://www.merriam-webster.com/dictionary/partitioning</p>	<p>Proposed Construction: Indefinite under 35 U.S.C. §112- “partitioning the content”</p> <p>Alternatively:</p> <p>Dividing, by a group of multiple devices that is fetching internet content, the internet content to be fetched into a plurality (more than just one) of portions, although the portions can have overlapping content.</p> <p>Intrinsic support: “splitting the content into content slices (the resulting content slices may be overlapping or non-overlapping).” (Claim Construction Memorandum and Order; <i>Luminati Networks Ltd. v. UAB Tesonet</i>, 2:18-cv-299, Dkt. 121)</p>

	<p>“the partitioning is non-sequential in the content.” [Claim 24 of ‘866 Patent]</p>			
24	<p>“each content slice containing at least part of the content”</p> <p>Exemplary Claim Language:</p> <p>“partitioning the content into a plurality of content slices, each content slice containing at least part of the content.” [Claim 15 of ‘866 Patent]</p> <p>“all of the parts of the content are included in all of the content slices.” [Claim 19 of ‘866 Patent]</p> <p>“all of the content slices have the same size.” [Claim 20 of ‘866 Patent]</p> <p>“at least two content slices are the same.” [Claim 21 of ‘866 Patent]</p> <p>“part of the content is included in two or more content slices.” [Claim 22 of ‘866 Patent]</p> <p>“a distinct device is selected for each content slice.” [Claim 26 of ‘866 Patent]</p>	<p>Claim 15, 19-22, 25-28 [‘866]</p>	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 21; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 52:19-30; 56:30-44; 63:43-56; and 172:5-12 of the ‘044 Patent; 46:30-37; 53:36-48; 57:60-58:24; 62:4-18; 84:12-18; 93:63-94:54; 105:4-15; 169:48-50 and 172:5-12 of the ‘866 Patent; see also intrinsic support for “partitioning the content into a plurality of content slices” and “each content slice ... identified using a content slice identifier”</p> <p>Extrinsic Support:</p> <p>ITU-T J.780 (06/2012) definition of content: “A combination of audio, still image, graphic, video, or data. NOTE – A variety of formats is classified as the "data" (e.g., text, encoded values, multimedia description language introduced by ITU-T H.760).”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={46309866-F797-45BC-81E9-2B6B2DAC1F32}</p> <p>ITU-T T.411 (93), 3.39 definition of content: The information conveyed by the document, other than the structural information, and that is intended for human perception.</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={0A3C5266-56D4-4ED8-9076-A4345192D7EB}</p>	<p>Proposed Construction: Each portion contains at least part of the internet content.</p> <p>Intrinsic Support: “For example, in the case of a 240 bytes content and using byte-level partitioning into three slices (referred as slice #1, slice #2, and slice #3), a first slice (slice #1) may be including byte #1 to byte #20 (20-byte length), a second slice (slice #2) may be including byte #21 to byte #100 (80-byte length), and a third slice (slice #3) may be including byte #101 to byte #240 (140-byte length).” Col. 94, lines 16-23.</p>

			<p>Dictionary.com definition of slice: “a part, portion, or share”</p> <p>https://www.dictionary.com/browse/slice?s=t</p>	
24	<p>“each content slice ... identified using a content slice identifier”</p> <p>Exemplary Claim Language:</p> <p>“partitioning the content into a plurality of content slices, each content slice containing at least part of the content, and identified using a content slice identifier.” [Claim 15 of ‘866 Patent]</p> <p>“the first request including the content slice identifier and the second identifier” [Claim 15 of ‘866 Patent]</p>	Claim 15 [‘866]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: 94:23-30; 105:16-30; 142:18-27 of the ‘866 Patent; see also intrinsic support for “each content slice containing at least part of the content” and “partitioning the content into a plurality of content slices”</p> <p>Extrinsic Support:</p> <p>ITU-T J.780 (06/2012) definition of content: “A combination of audio, still image, graphic, video, or data. NOTE – A variety of formats is classified as the “data” (e.g., text, encoded values, multimedia description language introduced by ITU-T H.760).”</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={46309866-F797-45BC-81E9-2B6B2DAC1F32}</p> <p>ITU-T T.411 (93), 3.39 definition of content: The information conveyed by the document, other than the structural information, and that is intended for human perception.</p> <p>https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&rlink={0A3C5266-56D4-4ED8-9076-A4345192D7EB}</p> <p>Dictionary.com definition of slice: “a part, portion, or share”</p>	<p>Proposed Construction: Each portion is identified uniquely relative to the other portions.</p> <p>Intrinsic Support: ‘044-102:45:59, 138:49-139:3, 164:34-36</p> <p>Intrinsic Support: “The method comprising the steps of the first device partitioning at least part of the first content into a plurality of first content slices according to a partitioning scheme; the first device associating a distinct slice identifier to each of the first content slices according to a rule; the second device partitioning at least part of the second content into a plurality of second content slices according to a partitioning scheme; the second device associating a distinct slice identifier to each of the second content slices according to the rule.” Col. 69, lines 4-8 (emphasis added)</p>

			https://www.dictionary.com/browse/slice?s=t ITU-T X.902 (95), 12.2; X.910 (98), 6.2 Definition for Identifier: “An unambiguous name, in a given naming context” https://www.itu.int/net/ITU-R/asp/terminology-definition.asp?lang=en&mlink={5C58FBE6-BE32-4E31-81CE-676FCB191E2B} (see 12.2 of ITU-T Rec. X.902 ISO/IEC 10746-2).	
25	“a plurality of content slices ... and for each of the content slices”	Claim 15 [‘866]	Proposed Construction: Plain and ordinary meaning Intrinsic Evidence: Fig. 5; 52:33-57:59; 58:9-24; 61:50-62:17; 63:40-43; 83:54-84:1; 58:9-24; 173:43-49 of the ‘866 Patent; see intrinsic support for each disputed term in the preamble including “first device,” “second device,” “first server,” “second server,” “first content identifier,” “identified in the Internet by a second identifier” and “a group of multiple devices”	Proposed Construction: Performing the following steps for each of the plurality of content slices (portions), rather than just a single time for the entirety of the fetched internet content. Intrinsic support: “some or all of the content, created by partitioning the content and useable with other content slices to reconstruct the content.” (Claim Construction Memorandum and Order; <i>Luminati Networks Ltd. v. UAB Tesonet</i> , 2:18-cv-299, Dkt. 121)
26	“selecting a device from the group”	Claim 15 [‘866]	Proposed Construction: Plain and ordinary meaning Intrinsic Evidence: Fig. 5; 52:33-57:59; 58:9-24; 61:50-62:17; 63:40-43; 83:54-84:1; 58:9-24; 173:43-49 of the ‘866 Patent; see intrinsic support for each disputed term in the preamble including “first device,” “second device,” “first server,” “second server,” “first content identifier,” “identified in the Internet by a second identifier” and “a group of multiple devices”	Proposed Construction: Selecting, by some node other than the first server and one of the group of multiple devices, a device within the group of multiple devices. Intrinsic Support: “Based on pre-set criteria, a tunnel device (or multiple tunnel devices) is selected by the client device #1 31a in a ‘Tunnel Select’ step 53c (corresponding to a ‘Select Tunnel’ step 62c in the flowchart 60). Col. 85, lines 6-9

27	“sending over the Internet a first request to the selected device using the group device identifier of the selected device”	Claim 15 [‘866]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ’044 Patent and 61:50-62:3 of the ’866 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p>	<p>Proposed Construction: Sending, by some node other than the first server and one of the group of multiple devices, to the selected device, a request to fetch the internet content device within the group of multiple devices and that uses the selected device’s unique identification.</p> <p>Intrinsic support: Plain and ordinary meaning. (Claim Construction Memorandum and Order; <i>Luminati Networks Ltd. v. UAB Tesonet</i>, 2:18-cv-299, Dkt. 121)</p>
28	“the first request including the content slice identifier and the second identifier”	Claim 15 [‘866]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: Fig. 15; 5:2-47; 8:12-29; 12:28-49; 19:49-20:36; 46:30-43; 47:37-44; 51:19-56:29 56:59-57:36; 58:20-30; 61:65-62:63; 63:43-56; 64:48-65:5; 65:31-44; 73:41-47; 74:20-39; 84:19-44; 86:15-30; 95:25-96:3; 102:45-59; 107:34-47; 110:33-111:10; 124:26-57; 170:40-42; 171:31-32; 172:5-12; 173:19-31; 174:58-175:6 of the ’044 Patent; see also intrinsic support for “first content identifier,” “first device,” “second device,” “first server,” and “second server.”</p>	<p>Proposed Construction: The request for fetching the internet content, that is sent to the selected device, includes (1) the content slice identifier and (2) information that includes the address of the first server.</p> <p>Intrinsic support: “After thorough review of related prior art, the application has been deemed allowable because of the limitations of selecting a client device from a group of devices corresponding to a group device ID, sending a request to the selected device, wherein the request includes a content segment identifier <u>and</u> a second identifier identifying a server” ’866 Notice of Allowance, page 3, April 13, 2017 (emphasis added)</p>
29	“the partitioning is based webpages level”	Claim 18 [‘866]	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Support: 94:23-30; 104:54-62; 168:48-50; 173:15-17; 174:25-24; see also intrinsic support for ““partitioning content into a plurality of content slices,” “each content slice containing at least part of the content” and “each content slice ... identified using a content slice identifier.”</p>	<p>Proposed Construction: Each of the plurality (more than just one) of portions of the fetched internet content corresponds to one or more webpages.</p> <p>Intrinsic support: “The fourth column 151d describes the identifier of the content that was fetched during this transaction, such as IP address, URL, web-site or web-page, where the first transaction content (in the first row 152a) relates to the URL</p>

				www.lll.com/22.mpg, the second transaction content (in the second row 152b) relates to the URL www.xxx.com/hy.avi, the third transaction content (in the third row 152e) relates to the URL www.yyy.com/16.php. and so forth.” Col. 98, lines 24-31
30	“all of the parts of the content are included in all of the content slices”	Claim 19 [‘866]	<p>Proposed Construction: Not indefinite / Plain and ordinary meaning</p> <p>Intrinsic Support: 168:48-50; 174:25-24; see also intrinsic support for ““partitioning the content into a plurality of content slices,” “each content slice containing at least part of the content” and “each content slice ... identified using a content slice identifier.”</p>	<p>Proposed Construction: Indefinite under 35 U.S.C. §112</p> <p>Intrinsic support: Furthermore, since multiple parts of the content stored in a data server (such as the data server #1 22a) are loaded in parallel to a client device (such as the client device #1 31a) using multiple distinct paths, the content is fetched faster and using more effectively the network resources. Col. 88, lines 14-19</p> <p>In a 'Same as Local Copy' step 494e and a 'Same as Server Slice' step 494f, two parts of the content are compared. The actual information in the compared parts may be compared in a bit-by-bit (or byte-by-byte) level. Col. 146, lines 44-47</p>
31	<p>“part of the content is included in two or more content slices”</p> <p>Exemplary Claim Language: “wherein part of the content is included in two or more content slices.” [Claim 22 of ‘866 Patent]</p>	Claim 22 [‘866]	<p>Proposed Construction: “two or more slices including at least an overlapping part of the content”</p> <p>Intrinsic Support: Fig. 21; 94:23-57; 104:27-105:15; 168:48-50; 173:8-14 of the ‘866 Patent; see also intrinsic support for ““partitioning the content into a plurality of content slices,” “each content slice containing at least part of the content” and “each content slice ... identified using a content slice identifier.”</p>	<p>Proposed Construction: At least two of the plurality (more than just one) of portions of the fetched internet content have overlapping content.</p> <p>Intrinsic support: Plain and ordinary meaning. (Claim Construction Memorandum and Order; <i>Luminati Networks Ltd. v. UAB Tesonet</i>, 2:18-cv-299, Dkt. 121)</p>